

FORM PCT/ISA-2004
(REV. 12-2001)

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

ATTORNEY'S DOCKET NUMBER

Herbal Powers

U.S. APPLICATION NO. (If known, see 37 CFR 1.5)

10/516500

**TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 U.S.C. 371**

INTERNATIONAL APPLICATION NO.
PCT/EP04/005516

INTERNATIONAL FILING DATE
21 May 2004

PRIORITY DATE CLAIMED
3 Feb 2004

TITLE OF INVENTION

Composition of Diterpenic Labdanes ... Useful for the Treatment of Autoimmune Diseases

APPLICANT(S) FOR DO/EO/US

Juan L. HANCKE and Rafael BURGOS

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☒ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9), and (21) indicated below.
4. ☒ The US has been elected by the expiration of 19 months from the priority date (Article 31).
5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
 - a. ☒ is attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ has been communicated by the International Bureau.
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☒ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
 - a. ☒ is attached hereto.
 - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
 - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ have been communicated by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☐ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371 (c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. ☐ An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11 to 20 below concern document(s) or information included:

11. ☒ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☒ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☒ A FIRST preliminary amendment.
14. ☐ A SECOND or SUBSEQUENT preliminary amendment.
15. ☐ A substitute specification.
16. ☐ A change of power of attorney and/or address letter.
17. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821 - 1.825.
18. ☐ A second copy of the published international application under 35 U.S.C. 154(d)(4).
19. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
20. ☒ Other items or information:
European Patent Office International Search Report - Form PCT/ISA/210 (21 Oct. 2004)

2 ☒ The following fees are submitted:**BASIC NATIONAL FEE** (37 CFR 1.492 (a) (1) - (5)):Neither international preliminary examination fee (37 CFR 1.482)
nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO
and International Search Report not prepared by the EPO or JPO \$1040.00International preliminary examination fee (37 CFR 1.482) not paid to
USPTO but International Search Report prepared by the EPO or JPO \$890.00International preliminary examination fee (37 CFR 1.482) not paid to USPTO
but international search fee (37 CFR 1.445(a)(2)) paid to USPTO \$740.00International preliminary examination fee (37 CFR 1.482) paid to USPTO
but all claims did not satisfy provisions of PCT Article 33(1)-(4) \$710.00International preliminary examination fee (37 CFR 1.482) paid to USPTO
and all claims satisfied provisions of PCT Article 33(1)-(4) \$100.00**ENTER APPROPRIATE BASIC FEE AMOUNT =**

CALCULATIONS - HOUSE ONLY

| FEE VALUE | |
|---------------------|-------|
| ACCOUNTABILITY | |
| DEPOSIT ACCOUNT NO. | |
| FEE | VALUE |
| 1800 | 180 |
| 2615 | 9 |
| 1206 | 50 |
| | 950 |

Surcharge of \$130.00 for furnishing the oath or declaration later than ☐ 20 ☐ 30
months from the earliest claimed priority date (37 CFR 1.492(e)).

| CLAIMS | NUMBER FILED | NUMBER EXTRA | RATE | |
|---|--------------|--------------|------------|--------|
| Total claims | 17 - 20 = | 0 | x \$18.00 | \$ 0 |
| Independent claims | 2 - 3 = | 0 | x \$84.00 | \$ 0 |
| MULTIPLE DEPENDENT CLAIM(S) (if applicable) | | | + \$280.00 | \$ |
| TOTAL OF ABOVE CALCULATIONS = | | | | \$ 950 |

☒ Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above
are reduced by 1/2.Adjustment date: 11/30/2005 WALVARAD
12/08/2004 GFREY1 00000137 10516500**SUBTOTAL** = \$ -180.4950Processing fee of \$130.00 for furnishing the English translation later than ☐ 20 ☐ 30
months from the earliest claimed priority date (37 CFR 1.492(f)).**TOTAL NATIONAL FEE =** \$ 475Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be
accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property +**TOTAL FEES ENCLOSED =** \$ 515

| | |
|------------------------|----|
| Amount to be refunded: | \$ |
| charged: | \$ |

Adjustment date: 11/30/2005 WALVARAD
07/27/2005 GFREY1 00000122 10516500

- a. ☐ A check in the amount of \$ _____ to cover the above fees is enclosed.
- b. ☐ Please charge my Deposit Account No. _____ in the amount of \$ _____ to cover the above fees.
A duplicate copy of this sheet is enclosed.
- c. ☐ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any
overpayment to Deposit Account No. _____. A duplicate copy of this sheet is enclosed.
- d. ☒ Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. **Credit card
information should not be included on this form.** Provide credit card information and authorization on PTO-2038.

NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR
1.137 (a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:

Pharmaceutical Patent Attys LLC
Attn: Mark POHL (P 4014)
55 Madison Avenue, 4th floor
Morristown, NJ 07960-7397 USA
+1 (973) 984-0076

SIGNATURE

Mark POHL

NAME

Reg.No. 35,325

REGISTRATION NUMBER



10/516500

D. Rec'd PCT/PTO 02 DEC 2004

PTO/SB/17 (10-01)

Approved for use through 10/31/2002. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

FEE TRANSMITTAL
for FY 2002

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT (\$ 695.00)**Complete if Known**

| | |
|----------------------|-----------------------|
| Application Number | PCT/EP04/005516 |
| Filing Date | 25 Oct 04 |
| First Named Inventor | Juan L. HANCKE et al. |
| Examiner Name | |
| Group Art Unit | |
| Attorney Docket No. | Herbal Powers |

METHOD OF PAYMENT

- 1.
- ☐
- The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

| | |
|------------------------|--|
| Deposit Account Number | |
| Deposit Account Name | |

- ☐ Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17
- ☐ Applicant claims small entity status. See 37 CFR 1.27

- 2.
- ☒
- Payment Enclosed:**

☐ Check ☒ Credit card ☐ Money Order ☐ Other

FEE CALCULATION**1. BASIC FILING FEE**

| Large Entity | | Small Entity | | Fee Description | Fee Paid |
|--------------|----------|--------------|----------|------------------------|----------|
| Fee Code | Fee (\$) | Fee Code | Fee (\$) | | |
| 101 | 740 | 201 | 370 | Utility filing fee | 0.00 |
| 106 | 330 | 206 | 165 | Design filing fee | 0.00 |
| 107 | 510 | 207 | 255 | Plant filing fee | |
| 108 | 740 | 208 | 370 | Reissue filing fee | |
| 114 | 160 | 214 | 80 | Provisional filing fee | 0.00 |

SUBTOTAL (1) (\$ 475.00)**2. EXTRA CLAIM FEES**

| | | Extra Claims | | Fee from below | | Fee Paid | |
|--------------------|----|--------------|---|----------------|-------|----------|------|
| Total Claims | 22 | -20** = | 2 | x | 18.00 | = | 0.00 |
| Independent Claims | 1 | -3** = | 0 | x | 43.00 | = | 0.00 |
| Multiple Dependent | | | | | 0.00 | = | 0.00 |

| Large Entity | | Small Entity | | Fee Description |
|--------------|----------|--------------|----------|--|
| Fee Code | Fee (\$) | Fee Code | Fee (\$) | |
| 103 | 18 | 203 | 9 | Claims in excess of 20 |
| 102 | 84 | 202 | 42 | Independent claims in excess of 3 |
| 104 | 280 | 204 | 140 | Multiple dependent claim, if not paid |
| 109 | 84 | 209 | 42 | ** Reissue independent claims over original patent |
| 110 | 18 | 210 | 9 | ** Reissue claims in excess of 20 and over original patent |

SUBTOTAL (2) (\$ 0.00)

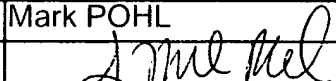
**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)**3. ADDITIONAL FEES**

| Large Entity | | Small Entity | | Fee Description | Fee Paid |
|---------------------|----------|--------------|----------|--|----------|
| Fee Code | Fee (\$) | Fee Code | Fee (\$) | | |
| 105 | 130 | 205 | 65 | Surcharge - late filing fee or oath | 0.00 |
| 127 | 50 | 227 | 25 | Surcharge - late provisional filing fee or cover sheet | 0.00 |
| 139 | 130 | 139 | 130 | Non-English specification | 0.00 |
| 147 | 2,520 | 147 | 2,520 | For filing a request for <i>ex parte</i> reexamination | 0.00 |
| 112 | 920* | 112 | 920* | Requesting publication of SIR prior to Examiner action | 0.00 |
| 113 | 1,840* | 113 | 1,840* | Requesting publication of SIR after Examiner action | 0.00 |
| 115 | 110 | 215 | 55 | Extension for reply within first month | 0.00 |
| 116 | 400 | 216 | 200 | Extension for reply within second month | 0.00 |
| 117 | 920 | 217 | 460 | Extension for reply within third month | 0.00 |
| 118 | 1,440 | 218 | 720 | Extension for reply within fourth month | 0.00 |
| 128 | 1,960 | 228 | 980 | Extension for reply within fifth month | 0.00 |
| 119 | 320 | 219 | 160 | Notice of Appeal | 0.00 |
| 120 | 320 | 220 | 160 | Filing a brief in support of an appeal | 0.00 |
| 121 | 280 | 221 | 140 | Request for oral hearing | 0.00 |
| 138 | 1,510 | 138 | 1,510 | Petition to institute a public use proceeding | 0.00 |
| 140 | 110 | 240 | 55 | Petition to revive - unavoidable | 0.00 |
| 141 | 1,280 | 241 | 640 | Petition to revive - unintentional | 0.00 |
| 142 | 1,280 | 242 | 640 | Utility issue fee (or reissue) | 0.00 |
| 143 | 460 | 243 | 230 | Design issue fee | 0.00 |
| 144 | 620 | 244 | 310 | Plant issue fee | 0.00 |
| 122 | 130 | 122 | 130 | Petitions to the Commissioner | 0.00 |
| 123 | 50 | 123 | 50 | Processing fee under 37 CFR 1.17(q) | 0.00 |
| 126 | 180 | 126 | 180 | Submission of Information Disclosure Stmt | 180.00 |
| 581 | 40 | 581 | 40 | Recording each patent assignment per property (times number of properties) | 40.00 |
| 146 | 740 | 246 | 370 | Filing a submission after final rejection (37 CFR § 1.129(a)) | 0.00 |
| 149 | 740 | 249 | 370 | For each additional invention to be examined (37 CFR § 1.129(b)) | 0.00 |
| 179 | 740 | 279 | 370 | Request for Continued Examination (RCE) | 0.00 |
| 169 | 900 | 169 | 900 | Request for expedited examination of a design application | 0.00 |
| Other fee (specify) | | | | | 0.00 |

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 220.00)**SUBMITTED BY**

| | | | | | |
|-------------------|---|-----------------------------------|-----------|-----------|----------------|
| Name (Print/Type) | Mark POHL | Registration No. (Attorney/Agent) | 35,325 | Telephone | (973) 984-0076 |
| Signature |  | Date | 29 Nov 04 | | |

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.